

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CR2008-105918-001 DT

10/21/2008

HON. GARY E. DONAHOE

CLERK OF THE COURT
S. Yoder
Deputy

STATE OF ARIZONA

ZACH MURPHY

v.

MARCUS LADALE DAMPER (001)

MONIQUE WILHITE

VICTIM SERVICES DIV-CA-CCC

TRIAL MINUTE ENTRY
DAY THREE

State's Attorney:	Zach Murphy
Defendant's Attorney:	Monique Wilhite
Defendant:	Present
Court Reporter:	Laura Ashbrook

11:19 a.m. Trial to jury continues from October 20, 2008.

The jury is not present.

Procedural issues are discussed.

11:21 a.m. The jury is present.

State's case continues:

Christopher Barron resumes the stand and testifies further.

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LET THE RECORD REFLECT that Mr. Barron's counsel, Marci Kratter, is present with him at the witness stand.

12:03 p.m. The jury leaves the courtroom while court remains in session.

Legal and procedural issues are discussed.

12:06 p.m. Court stands at recess.

1:36 p.m. Court reconvenes with the Defendant and respective counsel present.

Court Reporter Laura Ashbrook is present.

The jury is not present.

Christopher Barron is present with counsel, Marci Kratter.

Mr. Barron is examined regarding his gang involvement.

IT IS HEREBY ORDERED sustaining Defendant's objection and precluding testimony regarding gang membership of Mr. Barron and the Defendant.

1:45 p.m. Court stands at recess.

1:56 p.m. Court reconvenes with the Defendant and respective counsel present.

Court Reporter Laura Ashbrook is present.

The jury is present.

Christopher Barron resumes the stand and testifies further.

LET THE RECORD REFLECT that Mr. Barron's counsel, Marci Kratter, is present with him at the witness stand.

A question is received from the jury. Same is discussed with counsel and asked of the witness.

FILED: Juror Question Form (1).

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Erik Bain is sworn and testifies.

State's exhibit 134 is marked for identification.

Bianca Garcia is sworn and testifies.

A question is received from the jury. Same is discussed with counsel and asked of the witness.

FILED: Juror Question Form (1).

Michael Griffith is sworn and testifies.

State's exhibit 61 is received in evidence.

State's exhibit 62 is received in evidence.

2:49 p.m. Court stands at recess.

3:09 p.m. Court reconvenes with the Defendant and respective counsel present.

Court Reporter Laura Ashbrook is present.

The jury is present.

David Turley is sworn and testifies.

The witness makes an in-court identification of the Defendant.

Sanny Lotz is sworn and testifies.

The witness makes an in-court identification of the Defendant.

Brad McMillen is sworn and testifies.

State's exhibits 3 – 14 are received in evidence.

State's exhibit 103 is received in evidence.

4:02 p.m. The jury is excused for the evening. Court remains in session.

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Scheduling issues are discussed.

Defense has no objection to State's exhibits 98 – 102 subject to foundation being laid by the medical examiner.

Discussion is held regarding the testimony of the probation officer.

IT IS HEREBY ORDERED precluding the probation officer from testifying as to the nature of the charges for which Defendant was on probation. He may testify that Defendant was on probation for a felony offense.

Procedural issues are discussed.

4:13 p.m. Court stands at recess until October 22, 2008 at 10:30 a.m.